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Groups of countries in special situations: specific actions related to the particular needs and problems of landlocked developing countries: outcome of the International Ministerial Conference of Landlocked and Transit Developing Countries and Donor Countries and International Financial and Development Institutions on Transit Transport Cooperation

Draft resolution submitted by the President of the General Assembly

Outcome document of the Midterm Review of the Almaty Programme of Action: Addressing the Special Needs of Landlocked Developing Countries within a New Global Framework for Transit Transport Cooperation for Landlocked and Transit Developing Countries

The General Assembly,

Recalling its resolution 62/204 of 19 December 2007, in particular paragraph 11,

Adopts the following outcome document:

Outcome document of the Midterm Review of the Almaty Programme of Action: Addressing the Special Needs of Landlocked Developing Countries within a New Global Framework for Transit Transport Cooperation for Landlocked and Transit Developing Countries

We, the Ministers and heads of delegations participating in the high-level plenary meeting of the General Assembly on the Midterm Review of the Almaty Programme of Action: Addressing the Special Needs of Landlocked Developing Countries within a New Global Framework for Transit Transport Cooperation for Landlocked and Transit Developing Countries,[1] held in New York on 2 and 3 October 2008:

[1] Report of the International Ministerial Conference of Landlocked and Transit Developing Countries and Donor Countries and International Financial and Development Institutions on Transit Transport Cooperation, Almaty, Kazakhstan, 28 and 29 August 2003 (A/CONF.202/3), annex II.

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Recalling the United Nations Millennium Declaration,[2] in which Heads of State and Government recognized the particular needs and problems of landlocked developing countries and urged both bilateral and multilateral donors to increase financial and technical assistance to this group of countries to meet their particular development needs and to help them to overcome the impediments of geography by improving their transit transport systems, and resolved to create an environment, at the national and global levels alike, that is conducive to development and to the eradication of poverty,

Reaffirming our commitment to urgently addressing the special development needs of and challenges faced by the landlocked developing countries through the full, timely and effective implementation of the Almaty Programme of Action, as called for in the 2005 World Summit Outcome,[3]

Also reaffirming that the Almaty Programme of Action constitutes a fundamental framework for genuine partnerships between landlocked and transit developing countries and their development partners at the national, bilateral, subregional, regional and global levels,

Recognizing that the primary responsibility for establishing effective transit systems rests with the landlocked and transit developing countries, which need to seek to create conditions in which resources can be generated, attracted and effectively mobilized to address their development challenges, but that their efforts need to be given continued international support by the development partners and international and regional organizations in a spirit of shared responsibility, including the role of South-South cooperation and triangular cooperation, also taking into account agreements of regional integration,

Also recognizing that the private sector is an important stakeholder, whose contribution to the development of infrastructure and productive capacity should be increased, including through public-private partnerships,

Further recognizing that cooperation between transit countries and landlocked developing countries results in better transit transport systems. This cooperation between landlocked developing countries and transit developing countries must be promoted on the basis of the mutual interest of both landlocked and transit developing countries,

Reaffirming the right of access of landlocked countries to and from the sea and freedom of transit through the territory of transit countries by all means of transport, in accordance with applicable rules of international law,

Also reaffirming that transit countries, in the exercise of their full sovereignty over their territory, have the right to take all measures necessary to ensure that the rights and facilities provided for landlocked countries in no way infringe upon their legitimate interests,

Expressing support to those landlocked developing countries that are emerging from conflict, with a view to enabling them to rehabilitate and reconstruct, as appropriate, political, social and economic infrastructure and assisting them in

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[2] See resolution 55/2.

[3] See resolution 60/1.

achieving their development priorities in accordance with the goals and targets of the Almaty Programme of Action,[2] as well as the Millennium Development Goals,

Taking note of the outcome documents of the Thematic Meeting on Transit Transport Infrastructure Development, held in Ouagadougou from 18 to 20 June 2007,[4] and of the Thematic Meeting on International Trade and Trade Facilitation, held in Ulaanbaatar on 30 and 31 August 2007,[5]

Also taking note of the regional review meeting for Asia and Europe, held in Bangkok on 22 and 23 April 2008, the regional review meeting for Africa, held in Addis Ababa from 18 to 20 June 2008, and the regional review meeting for Latin America, held in Buenos Aires on 30 June 2008, and their respective outcome documents,

1. *Reaffirm* the commitment made in the Almaty Programme of Action of addressing the special needs of the landlocked developing countries, taking into account the challenges confronted by their transit developing neighbours, through measures identified in the five priorities of the Almaty Programme of Action;

General assessment

2. *Acknowledge* that despite persisting problems, landlocked developing countries, as a group, have achieved some progress in their overall economic development and growth. They recorded increased growth rates of gross domestic product and foreign direct investment in the past five years; exports surged, particularly for oil and other mineral resources;

3. *Express concern* that the economic growth and social well-being of landlocked developing countries remain very vulnerable to external shocks as well as the multiple challenges the international community faces;

4. *Acknowledge* that landlocked and transit developing countries, with the support of their development partners, have registered some progress in implementing the specific actions agreed upon in the Almaty Programme of Action. Landlocked and transit developing countries in Africa, Asia, Europe and Latin America have strengthened their policy and governance reform efforts. Donor countries, financial and development institutions and international and regional organizations have paid greater attention to the establishment of efficient transit systems;

5. *Recognize* that, although the difficulties of being landlocked permeate every aspect of the development process and poverty eradication, their negative impact on external trade is particularly severe. While some progress, even though uneven, has been made, landlocked developing countries continue to be marginalized from international trade, thus preventing them from fully using trade as an instrument for achieving their development goals;

6. *Stress* that the higher cost of moving goods across borders for landlocked developing countries puts their products at a competitive disadvantage and discourages foreign investment, and that landlocked developing countries continue to face challenges in their efforts to establish efficient transit transport systems, such

[4] A/62/256 and Corr.1, annexes I and II.

[5] See A/C.2/62/4, annexes I and II.

as inadequate transport infrastructure, insufficient carrying capacity at ports, port and customs clearance delays, transit dependence, fees and obstacles owing to cumbersome customs procedures and other regulatory constraints, underdeveloped logistics sector, weak legal and institutional arrangements, as well as costly bank transactions. Also, in most cases, the transit neighbours of landlocked developing countries are themselves developing countries, often of broadly similar economic structure and beset by similar scarcities of resources. These challenges need to be urgently addressed through the acceleration of the implementation of the specific actions under each of the priorities laid out in the Almaty Programme of Action;

Fundamental transit policy issues

7. *Welcome* the efforts made by many landlocked and transit developing countries to reform their administrative, legal and macroeconomic policies on the basis of an integrated approach to trade and transport. Reform measures included the liberalization of transit and transport services, accession to relevant international conventions, the establishment of regional inter-modal transport corridors and the development of transparent streamlined and common rules and standards that have strengthened private and public sector dialogue to address the bottlenecks that exist at different segments of transit services. Continued efforts need to be made to ensure the effective implementation of those positive reforms and to ensure that transport strategies and programmes, particularly where they involve the regulation of transport operations or the construction of major new infrastructure, take full account of environmental aspects and development needs to ensure sustainable development at the local and global levels. The international community, including financial and development institutions and donor countries, should provide greater assistance to landlocked and transit developing countries in this regard;

8. *Recognize* the important role of regional cooperation and integration involving landlocked developing countries and their transit neighbours for the effective and integrated solution to cross-border trade and transit transport problems. In this context, we particularly welcome regional initiatives aimed at promoting the development of regional rail and road transit transport networks, such as the agreements on the Asian Highway and Trans-Asian Railway, the New Partnership for Africa's Development Short Term Action Plan on infrastructure, the Sub-Saharan Africa Transport Policy Programme, the Initiative for the Integration of Regional Infrastructure in South America, the Transport Corridor Europe-Caucasus-Asia, the Africa Infrastructure Country Diagnostic study for infrastructure development in Africa and the Infrastructure Consortium for Africa;

9. *Also recognize* that international conventions on transport and transit as well as the regional, subregional and bilateral agreements ratified by landlocked and transit developing countries are the main vehicles by which the harmonization, simplification and standardization of rules and documentation can be achieved. We encourage both landlocked developing countries and transit developing countries to effectively implement the provisions of those conventions and agreements;

Transit transport infrastructure development and maintenance

10. *Acknowledge* that, in spite of some improvement in the development of the transit transport infrastructure in landlocked developing countries, inadequate and deteriorating physical infrastructure in rail transport, road transport, ports,

inland waterways, pipelines, air transport and information and communications technology in many landlocked developing countries, along with few harmonized rules and procedures, little cross-border investment and private-sector participation, are the major obstacles to developing viable and predictable transit transport systems. Physical links of landlocked developing countries to the regional transport infrastructure network fall well short of expectations. Missing links are a major problem and need to be addressed urgently;

11. *Recognize* that the construction of transit transport infrastructure, especially the missing links to complete regional networks, and the improvement and maintenance of existing facilities play a key role in the process to achieve the internationally agreed development goals, including the Millennium Development Goals;

12. *Encourage* landlocked and transit developing countries to allocate a greater share of public investment to the development and maintenance of infrastructure supported by, as appropriate, financial assistance and investment from donors, international financial institutions and development assistance agencies. We note that private sector participation should also be encouraged in this regard;

13. *Emphasize* that the development and improvement of transit transport facilities and services should be integrated into the overall development strategies of the landlocked and transit developing countries and that donor countries should consequently take into account the requirements for the long-term restructuring of the economies of the landlocked developing countries;

International trade and trade facilitation

14. *Note* that some progress, although limited and uneven, has been achieved by landlocked developing countries in the area of international trade;

15. *Express concern* that the share of world merchandise trade of landlocked developing countries has remained small. Most landlocked developing countries are still dependent on the export of a limited number of commodities. Their continued marginalization from the international trading system prevents them from fully using trade as an instrument for achieving the Millennium Development Goals;

16. *Note with concern* that approximately one third of all landlocked developing countries are still outside the rules-based multilateral trading system. Therefore, we stress that the accession of landlocked and transit developing countries to the World Trade Organization should be further accelerated. In this respect, the accession process for landlocked and transit developing countries should take into account their individual level of development, including the special needs and problems caused by geographical disadvantage. The development partners should provide assistance in this matter;

17. *Recognize* that one of the main causes of the marginalization of landlocked developing countries from the international trading system is high trade transaction costs. Therefore, we stress the need for the current negotiations on market access for agricultural and non-agricultural goods to consider giving particular attention to products of special interest to landlocked developing countries;

18. *Reaffirm* that in accordance with the commitments contained in the Doha Ministerial Declaration, in particular paragraphs 13 and 16, and the rules of the World Trade Organization, current trade negotiations should give full attention to the needs and interests of developing countries, including landlocked and transit developing countries;

19. *Note* that ongoing World Trade Organization negotiations on trade facilitation, particularly on the relevant articles of the General Agreement on Tariffs and Trade, such as article V on freedom of transit, article VIII on fees and formalities, and article X on transparency, as per the modalities contained in annex D of the decision of the General Council of the World Trade Organization of 1 August 2004, are particularly important for landlocked developing countries to gain a more efficient flow of goods and services as well as the improved international competitiveness that result from lower transaction cost. In this context, technical assistance should be provided to developing countries, more in particular to landlocked developing countries;

20. *Recognize* that some progress has been reached on coordination of border crossings, infrastructure investment, facilities for the storing of merchandise, normative frameworks and other facilities that benefit both landlocked and transit developing countries;

21. *Acknowledge*, however, that a large number of bottlenecks related to trade facilitation persist in many landlocked and transit developing countries. Those bottlenecks need to be urgently addressed. They include: an excessive number of documentation required for export/import; multiplication of scheduled and unscheduled roadblocks; lack of adjacent border controls; unnecessary customs convoy; complicated and non-standardized procedures for customs clearance and inspection; insufficient application of information and communications technology; non-transparency of trade and customs laws, regulations and procedures; lack of institutional capacities and trained human resources; underdeveloped logistics services; lack of interoperability of transport systems and absence of competition in the transit transport services sector; slow progress in establishing or strengthening national trade and transport facilitation committees; and low level of adherence to international conventions on transit transport;

International support measures

22. *Acknowledge* the increase in development assistance and debt relief measures in favour of landlocked developing countries. However, we note that much of the official development assistance goes to emergency and food aid. The allocation of development assistance to transport, storage and communications has not changed over the past five years, whereas the need for increased financial support for the construction and maintenance of infrastructure remains valid and urgent. In spite of enhanced Heavily Indebted Poor Countries and Multilateral Debt Relief Initiatives, which have provided debt relief to several landlocked and transit developing countries, the debt burden remains high for many of those countries;

23. *Stress* the need to attract private investment, including foreign direct investment. Private sector participation through co-financing can play a catalytic role in this regard. We recall that notwithstanding the increase of flows of foreign direct investment, private sector involvement in infrastructure development still has a considerable potential;

24. *Acknowledge* the increased attention and resources devoted by the United Nations system and international organizations to the challenges facing landlocked and transit developing countries. We recognize with appreciation the progress made towards developing effective monitoring mechanisms to measure the progress in implementation of the Almaty Programme of Action.[2] We appreciate the work undertaken by the United Nations Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States on a set of macroeconomic, trade and transport indicators, by the Economic and Social Commission for Asia and the Pacific on the time/cost methodology and the World Bank with its Logistics Performance Index and the Doing Business indicators that provide quantifiable data to measure the progress and emphasize that these efforts should be further pursued;

Future actions to accelerate the implementation of the Almaty Programme of Action

25. *Call upon* landlocked and transit developing countries to undertake the following measures to speed up the implementation of the Almaty Programme of Action:

(a) Promote the learning of lessons from existing regional infrastructure initiatives that aim to encourage integrated cross-border infrastructure investment;

(b) Further strengthen the legal framework governing transit transport operations, including through full and effective implementation of bilateral, subregional and regional agreements;

(c) Promote inter-railway cooperation with a view to facilitating the operation of through trains;

(d) Facilitate road transit operations by harmonizing road transit charges, vehicle dimensions, axle load limits and gross vehicle mass, third-party motor insurance schemes and contracts of carriage of goods by road;

(e) Effectively implement trade facilitation measures, including the implementation of regional customs transit schemes, the reduction/minimization of the number of trade and transport documents, the harmonization of working hours at national borders, the publication of transit formalities and fees and charges, inter-agency coordination of border controls services and the establishment of port communities and promotion of their effective operation;

(f) Consider the possibility of negotiating and granting duty-free zones at maritime ports, where this has not been done;

(g) Make efforts towards eliminating the practice of customs convoys. For this purpose, negotiate mutually beneficial arrangements to introduce a system of approved secure vehicles for transit operations and, where escort is warranted, arrange daily customs escorts;

(h) Take appropriate and effective measures to monitor control agents on road transport corridors in order to reduce roadblocks. In this context, the regional commissions should assist transit developing countries in addressing the issue of diversion of transit goods to domestic markets;

(i) Improve border infrastructure facilities and introduce one-window and a one-stop border system alongside with necessary capacity-building programmes;

(j) Make full use of available information and communications technology in order to enhance trade facilitation and to facilitate information sharing between and among transport and trade stakeholders;

(k) Widen and deepen public and private sector cooperation and collaboration and, in this context, expand platforms for public-private sector dialogue, such as trade and transport facilitation committees or corridor management committees;

(l) Mobilize adequate investment from all sources, including the private sector, for the development and maintenance of transport networks, as well as the construction of missing links;

(m) Where appropriate, use mutually beneficial public-private partnerships for securing additional financial resources and modern technological and management systems;

(n) Keep abreast of changing technologies and management systems which have an impact on trade and transport. In this context, the expansion of container capacity is urgent in many maritime ports;

(o) Consider designating a focal point who would be responsible for the implementation of the Almaty Programme of Action and its coordination at the national level;

26. *Welcome* the proposal to set up in Ulaanbaatar an international think tank to enhance the analytical capability of landlocked developing countries needed to maximize the efficiency of our coordinated efforts for the effective implementation of the internationally agreed provisions, particularly the Almaty Programme of Action and the Millennium Development Goals. For this purpose, we urge international organizations and donor countries to assist them in materializing this initiative;

27. *Call upon* donors and the multilateral, regional, financial and development institutions to provide landlocked and transit developing countries with appropriate, substantial and better coordinated technical and financial assistance, particularly in the form of grants or concessionary loans, for the implementation of the Almaty Programme of Action, in particular for the construction, maintenance and improvement of their transport, storage and other transit-related facilities, including alternative routes and improved communications, to promote subregional, regional and interregional projects and programmes;

28. *Also call upon* the development partners to effectively operationalize the Aid for Trade initiative so as to support trade facilitation measures and trade-related technical assistance, as well as the diversification of the export products through the development of small and medium-sized enterprises and private sector involvement in landlocked developing countries;

29. *Encourage* the international community to enhance efforts to facilitate access to and encourage the transfer of technologies related to transit transport systems, including information and communications technology;

30. *Also encourage* the further strengthening of South-South cooperation and triangular cooperation with the involvement of donors, as well as cooperation among subregional and regional organizations in support of landlocked and transit developing countries towards the full and effective implementation of the Almaty Programme of Action;

31. *Call upon* the relevant organizations of the United Nations system, the regional commissions, the United Nations Development Programme and the United Nations Conference on Trade and Development, and invite other international organizations, including the World Bank, the regional development banks, the World Customs Organization, the World Trade Organization, regional economic integration organizations and other relevant regional and subregional organizations, to further integrate the Almaty Programme of Action into their relevant programmes of work, taking into account the midterm review, and encourage them to continue, as appropriate, within their respective mandates, their support to the landlocked and transit developing countries, inter alia, through well-coordinated and coherent technical assistance programmes in transit transport and trade facilitation. In particular, we:

(a) Encourage the United Nations Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States to continue to ensure coordinated follow-up and effective monitoring and reporting on the implementation of the Almaty Programme of Action, in line with General Assembly resolution 57/270 B, to step up its advocacy efforts to raise international awareness of the Almaty Programme of Action as well as mobilize resources; and to further develop cooperation with the United Nations System organizations in order to ensure the timely and effective implementation of the Almaty Programme of Action;

(b) Encourage the regional commissions to continue to strengthen their efforts to work with landlocked and transit developing countries in order to develop integrated regional transit transport systems, harmonize regulatory requirements and procedures for import/export and transit with international conventions and standards, promote inter-modal transport corridors, encourage access to and more effective implementation of international conventions on transit transport, and assist in the establishment of national trade and transport facilitation coordination mechanisms and in improving the planning and development of the missing links in regional infrastructure networks, especially in Africa;

(c) Encourage the United Nations Conference on Trade and Development to continue to strengthen its technical assistance in the areas of infrastructure and services, transit transport arrangements, electronic commerce and trade facilitation as well as trade negotiations with and accession to the World Trade Organization. The Division for Africa, Least Developed Countries and Special Programmes should, within its mandate, strengthen its analytical work and technical assistance to the landlocked developing countries. The United Nations Conference on Trade and Development should also develop pragmatic tools and investment guides, as well as identify best practices, to assist the landlocked developing countries in their efforts to attract a larger share of flows of foreign direct investment;

(d) Encourage the United Nations Development Programme to enhance its provision of trade-related technical assistance and capacity-building programmes to landlocked developing countries;

(e) Invite the World Trade Organization to continue to provide technical assistance to landlocked developing countries in order to enhance their negotiating capabilities;

(f) Invite the World Bank to continue to give priority to requests for technical assistance to supplement national and regional efforts to promote the efficient use of existing transit facilities, including the application of information technologies and the simplification of procedures and documents;

(g) Invite the World Customs Organization and other relevant international and regional organizations to continue to strengthen the provision of technical assistance and capacity-building programmes to landlocked and transit developing countries in the area of customs reform, simplification and harmonization of procedures, and enforcement and compliance.

32. *Invite* the General Assembly to consider, at the appropriate time, undertaking the final review of the implementation of the Almaty Programme of Action, in accordance with paragraph 49 thereof.